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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,556	11/26/2003	Debargha Mukherjee	200310812-1	1252

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EXAMINER

DIEP, NHON THANH

ART UNIT	PAPER NUMBER
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2621

NOTIFICATION DATE	DELIVERY MODE
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07/28/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/724,556	Applicant(s) MUKHERJEE ET AL.	
	Examiner Nhon T. Diep	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22, 24 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-13, 15-21, 24 and 25 is/are rejected.
- 7) ☒ Claim(s) 8, 14 and 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/05; 3/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of group 1 (claims 1-22 and 24-25) in the reply filed on 5/5/2008 is acknowledged.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-7, 9-13, 15-21 and 24-25 are rejected under 35 U.S.C. 102(a) as being anticipated by Publication title "International Organisation for standardisation organization internationale De normalization ISO/IEC JTC1/SC29/WG11, Coding of Moving Pictures and Audio Information", cited by applicants.

The ISO/IEC discloses under the resource Description XML a method for updating sequence fields in a bitstream subsequent to bitstream segment drops, wherein at least one sequence field includes a sequence count element and the at least one sequence field points to dropped data (figure 12) and, the method comprising:

removing each sequence count element formerly pointing to dropped data from the sequence field (sections 5.1.3 and 5.1.4, lines 2-4; and

updating each sequence field subsequent to each sequence field pointing to dropped data (section 5.1.3 and section 5.1.4, lines 4-9) as specified in claims 1, 9, 15 and 24-25 (transcode, figure 14); wherein sub-sequences are embedded within at least

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one sequence, and wherein a sub-sequence count element is relatively derived from a sequence count element from a parent sequence (locations and lengths can be expressed as offsets from a given reference point) as specified in claims 2, 11 and 16; wherein relatively deriving the sub-sequence count element comprises: determining whether the sub-sequence is relatively (offsets is different than zero) or absolutely positioned (offsets = zero) with respect to the parent sequence; selecting the sub-sequence count element as an absolute value when the sub-sequence is absolutely positioned with respect to the parent sequence (when offset is absolute or = zero, the sub-sequence = the parent sequence); and selecting the sub-sequence count element as a relative value when the sub-sequence is relatively positioned with respect to the parent sequence (when offset is different than zero or relative, the value of offset = V, the sub-sequence = the parent sequence + V) as specified in claims 3, 12 and 17; said method comprising XML coding for said removing and updating (section 5.1) as specified in claims 4, 13 and 18; further comprising: introducing a write field in at least one sequence, wherein the write field writes a current sequence value (fig. 12, el. P or R or V) as specified in claims 5 and 19; further comprising: introducing a write field in at least one sequence, wherein the write field writes a number of elements until a current position (current position: $P=R+V$) as specified in claims 6 and 20; wherein the write field occurs at any position within the sequence (figure 12 shows that with different values of Vs, write field could occur at any position in the sequence) as specified in claims 7 and 21.

Allowable Subject Matter

4. Claims 8, 14 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Jones et al (US 2008/0071918) discloses a XML in the masp client-server protocol

b. Kuznetsov et al (US 7,287,217 B2) discloses a method and apparatus for processing markup language information.

c. Uluakar et al (US 2004/02100557 A1) discloses a method and apparatus for creating an adaptive application.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ND

/Nhon T Diep/
Primary Examiner, Art Unit 2621